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DETROIT DIESEL CORPORATION

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

EUGENE GENCHEV, Plaintiff, vs. DETROIT DIESEL CORPORATION; and Does 10, inclusive, Defendant.	Case No. 08-CV-1021 W (NLS) **NOTICE OF ERRATA RE DECLARATION OF LISA KRALIK HANSEN IN SUPPORT OF DEFENDANT DETROIT DIESEL'S MOTION TO DISMISS AND, IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT;** **EXHIBIT 4 TO MOTION** Date: July 21, 2008 **[NO ORAL ARGUMENT PURSUANT TO LOCAL RULE 7.1(d)(1)]** (Complaint filed: 4/18/08)

PLEASE TAKE NOTICE that, due to inadvertent error, the Declaration of Lisa Kralik Hansen in Support of Defendant Detroit Diesel's Motion to Dismiss and, in the Alternative, Motion for Summary Judgment which was electronically filed with the Court on June 13, 2008 did not include Exhibit 4. However, the courtesy copy of the declaration

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which was sent to the judge and the copy served on plaintiff's counsel did contain said exhibit.

Attached to this notice of errata is Exhibit 4 to the declaration of Lisa Kralik Hansen in support of defendant Detroit Diesel's Motion to Dismiss.

Dated: June 16 2008

GRACE, COSGROVE & SCHIRM
A Professional Corporation

By: /s/
Philip R. Cosgrove
Lisa Kralik Hansen

Attorneys for Defendant
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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 444 South Flower Street, Suite 1100, Los Angeles, California 90071.

On June 16, 2008, I served the within document(s) described as:

NOTICE OF ERRATA RE DECLARATION OF LISA KRALIK HANSEN IN SUPPORT OF DEFENDANT DETROIT DIESEL'S MOTION TO DISMISS AND, IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT; EXHIBIT 4 TO MOTION

on the interested parties in this action as stated on the attached mailing list.

[X] (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope addressed as set forth on the attached mailing list. I placed each such envelope for collection and mailing following ordinary business practices. I am readily familiar with this Firm's practice for collection and processing of correspondence for mailing. Under that practice, the correspondence would be deposited with the United States Postal Service on that same day, with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[ ] (BY FAX) By transmitting a true copy of the foregoing document(s) via facsimile transmission from this Firm's sending facsimile machine, whose telephone number is (213) 533-5444, to each interested party at the facsimile machine telephone number(s) set forth on the attached mailing list. Said transmission(s) were completed on the aforesaid date at the time stated on the transmission record issued by this Firm's sending facsimile machine. Each such transmission was reported as complete and without error and a transmission report was properly issued by this Firm's sending facsimile machine for each interested party served. A true copy of each transmission report is attached to the office copy of this proof of service and will be provided upon request.

I certify that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on June 16, 2008, at Los Angeles, California.

I declare under penalty of perjury that the foregoing is true and correct.

Liv Kirchoff	/s/ Liv Kirchoff
(Type or print name)	(Signature)

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EXHIBIT 4

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

EUGENE GENCHEV,

Plaintiff,

vs.

FREIGHTLINER, LLC., et al.,

Defendant.

No. 05-CV-2071-W (JMA)

DEPOSITION OF EUGENE GENCHEV

San Diego, California
March 9, 2007

Volume II
Pages 247 through 410, inclusive

Reported by Jennifer L. Fitzgerald, RPR, CSR
Certificate No. 12166

needed some work. You were at Murray's or near Murray's and went over there and bought a new tractor for your company, correct?

A. I was not. My driver was there. I was here.

Q. Which driver bought it?

A. Amelia Rashkova.

Q. And did you give her authorization over the phone to pick out a tractor?

A. Yeah. We talked with the salespeople over there a couple of days. We exchange information and then we'll decide to go for this tractor.

Q. You were here in San Diego?

A. San Diego, yeah.

Q. So according to Exhibit 38 it looks like you paid -- you were given a credit of 11,897. Is that the 2000 Conventional or 2000 Century?

A. Correct.

Q. And then so your unpaid cash balance was $100,050. Is that correct?

A. Correct.

Q. And how did -- did you finance that?

A. Through Daimler Benz Mercedes, Daimler Benz. The same financial institution I use for the '04.

Q. And what are your monthly payments on the 2005 XL tractor, approximately?

A. A little bit over $2,000.
Q. And you're current on those payments, true?
A. True.
Q. And you purchased this tractor on March 2nd, 2005?
A. Correct.
Q. Did you have any problems with the sales folks there at Murray's Freightliner?
A. No.
Q. Did you receive a Freightliner warranty for the 2005 Freightliner?
A. I assume we did, yeah.
Q. What I meant was did you receive the same warranty materials like you had when you purchased the '04 Columbia?
A. Yes, we did.
Q. Did you understand at the time of purchase of this '05 XL that you were receiving a separate warranty for the engine?
MR. JAFFE: Objection. Calls for a legal conclusion.
BY MR. MORENO:
Q. You want me to state it again?
A. I know that Detroit is covering the engine.
Q. Okay.

A. That's what you mean?

Q. Yeah, that's what I mean, but what I am asking you at the time you purchased this tractor on March 2nd, 2005, did you have an understanding at that time that you had a separate warranty for the engine?

MR. JAFFE: Objection. Vague and ambiguous as to separate warranty. Calls for a legal conclusion.

You can answer if you can.

THE WITNESS: I guess that's what it is. That's how it's been all the time since I own my first tractor.

BY MR. MORENO:

Q. And you've always understood that --

A. I am not really familiar with all that bureaucratic channels, who's covering what, but knew Freightliner with Detroit engine, you guys figure out who's going to cover what, but I know that the tractor got 500,000 miles engine warranty if that's what you're asking me.

Q. Okay. You knew you had a 5,000 mile engine warranty, correct?

A. Correct.

MR. JAFFE: Hold on. You said 5,000 miles.

BY MR. MORENO:

Q. 500,000 --

A. 500,000 -- three years or 500,000, whichever comes first.
Q. And you knew that that warranty was issued by Detroit Diesel, correct?
A. Correct.
Q. Now, when Amelia took possession of the 2005 tractor, did she call you to -- on her way back to Southern California with any problems?
A. Oh, yeah, there was a problem right away. I guess, like, steering pump malfunctioning. They stop immediately two days after that. As soon as they pick up the tractor there was a problem with the steering pump.
Q. And when you say "they," are you talking about Amelia and her co-driver?
A. The co-driver.
Q. Who was her co-driver when she picked it up?
A. Ivan Brshkov.
Q. How do you spell Ivan's last name?
A. B-r-s-h-k-o-v.
Q. Is that her boyfriend or husband?
A. Something like that. I'm not exactly familiar, pretty close.
Q. Okay. So two days after they pick it up they have a steering pump problem and did they take it

THE WITNESS: I don't know if I knew, but, yeah, I guess the new engine Detroit they knew they need to -- they do occasionally some recall. So I was aware of this.

BY MR. MORENO:

Q. Fair enough. Did you make an appointment with Los Angeles Freightliner to have this work done?

A. I drove the tractor there. I guess if you ask me if I called earlier -- it's the way we usually proceed over there. You call -- I mean, you go to the service manager and you tell them you're leaving the tractor.

Q. Did -- and when you dropped it off, did you tell them you needed the Detroit recall work done?

A. No, I did not.

Q. What did you tell him that needed to be done to your tractor when you dropped it off?

A. Actually EGR cooler is Detroit, of course, because I was confused with the other upgrade they claim they performed.

Q. Okay. Let's back up.

A. Sorry. I told him EGR cooler upgrade.

Q. For your engine?

A. Correct.

Q. Was there anything else that you wanted them

a result -- because of the door handle. Fair statement?
A. Absolutely not. Fair statement.
Q. Mr. Genchev, the next repair that I have in my chronology is September 6, 2005, in Salt Lake. Do you have any repair documents for Salt Lake?
A. No, I don't.
Q. Do you recall that the unit was at a Salt Lake facility having some repair work around that time?
A. Yes.
Q. Let me ask you a question. Let me back up to Exhibit 40, Mr. Genchev. Is it your understanding that the work done on Exhibit 40 by Valley Freightliner in Washington is something that should have been covered under the engine warranty or the Freightliner warranty?
A. I don't know which warranty. I assume it's Freightliner since -- that's a conflict between you guys. I don't know. I have warranty, which it's copied somewhere here, which stated that the tractor is roadside assist and the warranty is for one year or 100,000 miles.
Q. And where you read that from, are you reading from the Freightliner book or Detroit book?
A. Freightliner book, the very last page of the specs.
Q. And you were -- you were within the 12 months

didn't understand if that's what you're asking me.
BY MR. MORENO:
Q. I know that you have an understanding that the engine has a separate warranty.
A. Correct.
Q. So I'm asking you sort of the same question. Do you have an understanding that you have a separate warranty for your transmission, which includes the clutch?
MR. JAFFE: Same objections.
THE WITNESS: I expect Freightliner to take care of all this, you know, warranty and all that stuff. For the engine I know for sure, but the clutch, the transmission I don't know you going to distance yourself from -- I was told Sunday afternoon that the clutch will be warrantied and we'll have the paperwork, but by Monday morning -- Monday morning I was told that Fuller Eaton had a representative reject the claim. The clutch will not be warrantied, even told the spring was broken and lost in the clutch. There was no driver's neglect in normal wear and tear.
BY MR. MORENO:
Q. Who told you there was no driver's neglect and no normal wear and tear or is that your assumption?
A. I don't think this guy would make such

A. No. It's called EP5-2, let me -- 05M-2 recall.
Q. They tell you what?
A. That this recall is been already done at LA Freightliner one year earlier.
Q. Okay. So my question to you is, I am not trying to be flip, what's the big deal with the recall?
A. The big deal is I was surprised. I said really, who did it? When my tractor was not for this purpose in Freightliner, and who did the recall, you know. They said according to all the paperwork and everything, LA Fontana Freightliner did this recall when your tractor was there.
Q. Okay. So what's the problem with that?
A. The problem I said let's check, are you sure about it. They said they check the parts. There is pump number part number which supposed to go off and on the tractor. The problem is, Moreno, that was never done. Only the paperwork was fixed. That's the problem.
Q. So you think that LA Freightliner submitted all the paperwork to Detroit Diesel for the warranty but never did the work?
A. Correct.
Q. Because why? Because you find the same parts

on there you've been able to determine the parts are still there?

A. I am not one who's determining this, Moreno. They're the experts. Detroit, they look at all the part numbers. They look at the fuel pump, which was originally which was supposed to be out of this tractor --

Q. Did Detroit Diesel tell you in May of 2006 that according to their records the recalls, both recalls, had been done but based upon their inspection the recalls were not done?

A. Correct.

Q. And who told you that at Detroit Diesel?

A. The person at Detroit Diesel right here in San Diego. That was back in May.

Q. Now, in May of 2006 did Detroit Diesel say we're going to go ahead and really do it now?

A. They did it four months later, yeah, they really did it.

Q. Under the warranty?

A. Correct.

Q. At no cost to you?

A. Correct.

Q. So you haven't paid a dime for any of this recall work, have you?

A. Correct.

Q. -- recall information. It looks like screen prints maybe from a Detroit computer database I am not familiar with. A parts catalog printed off a website, correct?

A. Yes.

Q. And some warranty claims history, it looks like, for Detroit?

A. Yes.

Q. Were you given all these materials, Exhibit 46, together?

A. No, I gather this from different places.

Q. Did you gather all these?

A. Yeah.

Q. And why did you gather all of the information we have in Exhibit 46. What were you trying --

A. Trying to see if the recall was done or was not done.

Q. Okay. So you and I have just gone over that whole thing. We're on the same page as far as what was done, what was not done?

A. Correct.

Q. What you were told and what was eventually told, true?

A. True.

Mr. Cummings?
A. Correct.
Q. Did Mr. Cummings respond in any way whatsoever to your February 27th, 2006, fax?
A. No.
MR. JAFFE: Can we take a break?
MR. MORENO: Sure.
(Off the record.)
BY MR. MORENO:
Q. We're done talking about Exhibit 48, Mr. Genchev. And the next exhibit I see coming up is a Valley Power Systems, which is Detroit, May 16th, 2006. Before I go to that exhibit, let me ask you from February -- end of February 2006 to mid May 2006 any problems with the '05 Freightliner XL?
A. No.
(Exhibit 49 was marked for identification.)
BY MR. MORENO:
Q. Okay. Let's go to Exhibit 49, which is the Valley Power Systems. That's a Detroit authorized facility, true?
A. Uh-huh.
Q. Is that a yes?
A. Yes.
Q. You understand, do you not, Mr. Genchev, that

Valley Power Systems cannot perform Freightliner warranty work?

MR. JAFFE: Objection. Lack of foundation. Calls for a legal conclusion.

BY MR. MORENO:

Q. Do you understand what I am saying?

A. Of course.

Q. You know that, right?

A. Yes.

Q. Okay. Exhibit 49 it says -- make sure I have them in the right order. Leaking oil from under the turbo and around diamond seal area and the primary cause, it looks like, is a turbo oil return pipe O-rings leak. They steam cleaned your engine, replaced the O-rings, some gaskets it looks like. Did you or one of your drivers detect a leak in the engine area?

A. Yes.

Q. And that's why you folks took it to Detroit?

A. Yes.

Q. And this leak was found in the turbo, correct?

A. Correct.

Q. You understand that the turbo is warrantied by Detroit, true?

A. Yes.

MR. JAFFE: Objection. Calls for a legal

conclusion.

BY MR. MORENO:

Q. Valley Power Systems performed this work under your Detroit warranty at no cost to you, true?

A. True.

MR. JAFFE: Objection. Calls for a legal conclusion.

BY MR. MORENO:

Q. After it was worked on, after this work was performed, have you had any other leaks in your turbo or your engine?

A. No.

Q. All right. Let's go to Exhibit 50 -- actually at this point in time I'll just -- since we're May 16th, '06, this is around the time that you wanted to get recall 05M-2 performed. Why wasn't 05M-2 performed by Valley when you took the unit there on the 16th of May?

A. Because they wanted to charge me for it. They said this recall on paper already been done by LA Freightliner.

Q. Okay. When you're at Valley on May 16th, 2006, as it's shown in Exhibit 49, is that when you're told the history regarding the recall that you and I went through about 20 minutes ago?

A. This is when we started, you know, there

Q. I wasn't done.
Did they tell you that an object had got caught and was wrapped around the drive shaft and as it was turning was ripping wires in between the frame rails, so to speak?
A. That's the -- an unknown object, that's what they call it. Here's the picture of the known object.
Q. What do you think is the object that --
A. The green cable.
Q. You think a green cable became wrapped around the drive shaft without something hitting the green cable first and driving it into the drive shaft?
A. Correct.
Q. Why do you say that?
A. Why do I say that?
Q. Yeah.
MR. JAFFE: Objection. Calls for an expert opinion.
THE WITNESS: I'm an expert on these things. I drive since '92.
BY MR. MORENO:
Q. Go ahead and tell me. Tell him. I'm not the one objecting to your answers -- to the questions. Why do you think the green cable just got caught up around the drive shaft?

A. No.

Q. Did your fuel pump fall out on the freeway?

A. No, it did not.

Q. Did it get replaced eventually under warranty at no cost to you by Detroit Diesel?

MR. JAFFE: Objection. Mischaracterization.

THE WITNESS: Supposed to be, but I'm fighting for this recall the last four months just to be performed. So I don't know what you mean no cost to you.

BY MR. MORENO:

Q. Has it cost you anything out of your pocket --

A. No, no.

Q. -- for the fuel pump whatsoever?

A. No.

Q. Has the fuel pump cost you to miss a trip across country?

A. No.

MR. JAFFE: Objection. Calls for an expert opinion.

THE WITNESS: No.

(Exhibit 56 was marked for identification.)

BY MR. MORENO:

Q. We'll mark as Exhibit 56 this October 23rd, 2006, Valley Detroit document.

A. Not for fuel filters, no.

(Exhibit 58 was marked for identification.)

BY MR. MORENO:

Q. So we're done with 57. Let's go to the next document, which is a Valley Power Systems 12/20/06 letter. We'll mark that as 58. From 11/1/06, Mr. Genchev, to 12/20/06 how is the truck running for you during that time?

A. This letter is concerning the same time. So he just fax it to me later on.

Q. Okay.

A. The tractor is running okay.

Q. So let me withdraw that statement. We'll discuss this real quick, and then I'll ask you how the truck has ran since 11/1/06. Okay?

Exhibit 58 is a letter. Did you ask someone from Valley Detroit to send you a letter?

A. This letter is stating the handwriting of the mechanic over here.

Q. I understand. My question is --

MR. JAFFE: He asked you if you requested them --

THE WITNESS: Yes, I asked them.

BY MR. MORENO:

Q. You asked Valley to put something in writing as to what they had done or worked on, discovered recently on your '05 tractor, true?

A. True.

Q. And they agreed to do that for you, true?

A. True.

Q. And did you tell them you wanted that done because you had a lawsuit pending against Freightliner?

A. At that time? I told them --

Q. This is just a few months ago.

A. Yeah, I know, but let's back up a little bit because --

Q. Answer my question first if you don't mind. Then you can tell me.

When you asked Valley Detroit to write a letter on your behalf -- write a letter to you explaining what they had been working on in the prior months, did you tell them please write me this letter explaining what you guys found and what you've done; I'm suing Freightliner?

A. At that time exactly I told them I have a problems with Freightliner. I don't remember if I told them specifically at that time suing Freightliner. I told them I have problems with this Freightliner trucks.

Q. Why did you ask them to create Exhibit 58 for you?

BY MR. MORENO:
Q. Is it a non-issue?
A. Non-issue.
Q. Okay. "Oil leak at the Camshaft pocket." Has that been fixed?
A. I guess that was fixed under warranty.
Q. Under Freightliner or Detroit warranty?
MR. JAFFE: Objection. Lack of foundation.
THE WITNESS: Detroit.
BY MR. MORENO:
Q. Okay. Ten, "Two out of three mounting bolts for the fuel pump are missing." That's what we talked about earlier, correct?
A. Correct.
Q. Even though this is dated 12/20/06, is it your understanding that these are observations that were made when they're doing the repairs shown in Exhibit 56 and 57?
A. Correct.
Q. Okay. Number 11, "05M-2 update has not been completed, although a claim has been submitted." We've talked about that, correct?
A. Correct.
Q. Twelve, "Coolant leak at the EGR cooler, loose clamp may be the cause." Did they fix that for you?

MR. JAFFE: Objection to the characterization.
BY MR. MORENO:
Q. Seventeen, "Chassis lube and brake adjustment needed." That's maintenance, non-issue. True statement?
A. True statement.
MR. JAFFE: Object to the characterization.
THE WITNESS: The only reason I'm showing you this is for 10 and 11. That's the only thing you can read over here. That's the --
BY MR. MORENO:
Q. And we've talked about that, correct?
A. Yeah.
Q. That's the only -- on Exhibit 58 the only things that are of any significance to you in this case are Items 10 and 11, and we've talked about that in great detail, true?
A. True.
(Exhibit 59 was marked for identification.)
BY MR. MORENO:
Q. Fifty-nine will be the page that you put together which you believe listed all of the expenses you've wrongly had to incur in connection with your ownership and the repair history for the 2005 tractor, true?

A. True.

Q. And if we go through the documents, the invoices, we can find where you're getting all of the numbers from, true? Let me ask you a question. Okay. See the first five set of numbers you have at the top, are those --

A. I --

Q. Are those from repair invoices?

A. Correct.

Q. And the subtotal of these is 6,138.94?

A. For the year 2005.

Q. Okay. And then for the year 2006 the subtotal is 5,948.19.

A. Correct.

Q. Whose motel for $278 is that?

A. I don't know. I assume some of the drivers when they were waiting for -- my motels are $1,100 so a total of both trucks so.

Q. Don't talk to me about the '04 right now. I am just asking you about this 278 motel charge. Which driver was that for and what city?

A. You want to deal with more exhibits? I don't know if it's important, but here is motels. For what driver I don't know.

Q. Mr. Genchev --

Let's go off the record.
(Off the record.)
(Exhibit 60 was marked for identification.)
BY MR. MORENO:
Q. Let's mark as Exhibit 60 some hotel or motel bills for -- these are all dealing with the 2004 or the 2005?
A. Correct.
Q. Which one?
A. Both.
Q. And you understand that you -- you understand and we kind of touched upon this in your first deposition that your warranty for the tractor excludes coverage for down time and hotel accommodations, true?
MR. JAFFE: Objection. Calls for a legal conclusion. Lack of foundation.
BY MR. MORENO:
Q. Go ahead.
A. Yes.
Q. Yes?
A. If it's under normal circumstances, if you gather $1,100 in hotel bills --
Q. Sorry. Does each tractor --
MR. JAFFE: Wait. He wasn't finished. Are you done?

A. Yeah.

(Exhibit 61 was marked for identification.)

BY MR. MORENO:

Q. I'll mark that as 61. What are these other documents here?

A. These are some claim history or repair history.

(Exhibit 62 was marked for identification.)

BY MR. MORENO:

Q. We'll mark this next stack of documents as the some portion of the Freightliner claim history fax cover sheet from Tracey Road Equipment. Why did you authorize Tracey Road Equipment to charge your AmEx card?

A. Because I needed to pay for something.

Q. Then we have Detroit Diesel warranty history, some more fax cover sheets. One to Doug Jaffe. Let's take that out.

MR. JAFFE: Thank you.

BY MR. MORENO:

Q. We'll mark that as 62. Now, since picking up your unit from Valley Detroit in November 1st, 2006, how is it performing?

A. Okay.

Q. It's performing okay?

A. Yes.

Eugene Genchev –Owner of Freightliner Classic XL

03/02/2005 Purchased a New Freightliner Truck at DuBois, PA.
Between the months of March and September the following items were repaired in Freightliner Shops around the Country: Windshield washer reservoir, steering pump, cab's door, driver's seat, surge tank, turn signal light, rear axle, transmission, engine, air intake.
In August the Truck experienced electrical malfunction, which required road side assistance. Unfortunately the problem remained and the Truck began to shut down on the road occasionally after sudden lost of electrical power. In September after such an incident the Truck stopped in the middle of the railroad truck in Los Angeles and CHP immediate intervention and Tow Service was necessary .Total cost was $ 680.88
After discovering that I have Warranty covering Road Side Assistance and Towing I contacted Freightliner Technical Support and was told by Ken Cummins to submit the invoices for reimbursement .As we were speaking on the phone the Truck broke down again somewhere in Georgia for the same reason. Ken told me he'd take care of it and issued me a reference number.
A few days later in WA the Truck was taken to a Freightliner Shop with clutch malfunctioning. It was Sunday afternoon and the Service Adviser told me that the clutch needed to be replaced and it's most likely warranty job, but he can't get approval before the next day. Since he got an open bay he asked me to begin the work right away and I agreed. The following day the warranty was declined and I was presented with $ 2,046.31 bill.
I immediately contacted Ken Cummins and asked for his help and he assured me he'd look into it. Meanwhile he offered to replace the faulty switch, which was causing the electrical problems .At the same location the battery needed to be replaced for additional $ 601.65. That was directly related to the electrical malfunction.
A few weeks later in Texas the fan blade came off hitting the radiator and causing severe damage .I was told the warranty will cover the repair, but ended up paying $ 2,810.70 after they refused to pay for the progressive damage.
I presented Mr. Cummins a request for reimbursement for the charges I believe I'm not responsible to no avail.
In May 2006 the electrical problem re - appear .In Freightliner Columbus, OH improper wiring was discovered. It cost me late load and $ 313.71 in repairs.
As I prepare this document as of 10/11/06 the Truck is been repaired in Savannah , GA after another huge electrical mishap .The estimate is $ 3,350 + without counting $950 already spent on Road call and towing .The hot load We're currently on will be several days late with dare consequences.
So far the" privilege" to operate this Top of the line equipment with rose wood dashboard and heated leather seats for which I paid $ 112 ,000 is additional $ 10,700+ in repairs directly related to their warranty coverage which they refused to honor and their negligence.

EXHIBIT
Genchev #39
Date: 3 9 07
JENNIFER L. FITZGERALD
CSR #12166

Truck: Freightliner Classic 2005

*It has been roadside assisted 3 times.

*Towed 3 times.

*Major brake down 3 times.

*Minor repaired 5+ times.

*Late under load at least 3 times.

*Absent from the road 20+ days.

*Out of pocket repair cost $10,200+ for 18 months. 12,000 + for 20 m.

*Average $600 a month extra cost.

DETROIT DIESEL CORPORATION

[illegible]

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S60 EGR DDEC V Injector Harness Modification

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Modification already done for Serial Number: 06R0770106
If you need additional assistance, please contact the
DDC Customer Support Center

Serial #	Modification #	Claim #
06R0770106	05M2	WA10736217

EXHIBIT
Gerchev #46
Date: 3-9-07
JENNIFER L. FITZGERALD
CSR #12166

Add to MY DDC Favorites

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Narrative text		Last Change
101	LOW POWER / RUNNING ROUGH PERFORMED MODIFICATION 05M-2 RAN ENGINE FOUND RUNNING ROUGH, PERFORMED MODIFICATION. REPLACED FUEL AND FITTING, INSTALLED NEW MOUNTING O-RING INSTALLED PUMP. INSTALLED NEW PRESSURE REGULATOR AND CHECK VALVE, REMOVED ROCKER COVER AND JAKES, INSTALLED NEW N3 INJ WASHER AND O-RING ON ALL INJECTOR, REPLACED ALL INJECTOR HOLD DOWN CLAMP WASHERS, REPLACED INJECTOR HARNESS. TORQUED ALL INJECTOR TO SPEC AT 70N. M. REPROGRAMED ECM STEAM CLEANED PRIMED FUEL SYSTEM RAN ENGINE CHECKED OPERATION ALL OK.	14-Jun-2005 DDCEXT/JOVIYACH

Document Name: untitled

PAGE 1 OF 2 LINE 19 P#-GO TO PAGE#
COMMENTS-3: NEW ERG COOLER KIT WITH EXHAUST MANIFOLD COOLANT AND EXHAUST LE
AKING AT ENGINE STEAM CLEANED RAN ENGINE FOUND MIXER PIPE AND EGR COOLER LE
AKING, REMOVEDAIR CLEANER ASM TURBOAND EXHUAST MANIFOLDS TO INSTALLED NEW E
END OF PAGE

CUST #	YEAR	MAKE	MODEL	SERIAL #
104	2005	FREIGHTLINER	CLASSIC XL	1FUJAPCK95DN58106

RO NUMBER STATUS DATE MILEAGE

GR KIT INSTALLED NEW MANIFOLD GASKETS INSTALLED NEW MANIFOLD AND NEW S-PIPE
INSALLED EGR COOLER REMOVEDAND ASSEMBLED NEW MIXER PIPE AND INSTALLED PROG
RAM ECM FOR NEW COOLER RAN ENGINE CHECKED FOR LEAKS ALL OK freight for oder
by engine ser # only shipping $

0-Exit 1-Last Page 2-Line Down 3-Page Down 7-First Page 8-Line Up 9-Page Up

Date: 4/27/2006 Time: 11:29:13 AM

Document Name: untitled

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PAGE 1 OF 2 LINE 1                                              P#-GO TO PAGE#
          CUST #    YEAR MAKE        MODEL        SERIAL #
          104       2005 FREIGHTLINERCLASSIC XL   1FUJAPCK95DN58106
RO NUMBER        STATUS   DATE               MILEAGE
FS103845         CLOSED   06-06-05           178316
CONDITION:-1: DETROIT BULLETIN 05M2, SEE ATTACH BASIC VEHICLE 12 100,000
COMMENTS-1: 05M-2 W/FUEL PUMP LOW POWER / RUNNING ROUGH PERFORMED MODIFICAT
ION 05M-2 RAN ENGINE FOUND RUNNING ROUGH, PERFROMED MODIFICATION. REPLACED
FUEL AND FITTING, INSTALLED NEW MOUNTING O-RING INSTALLED PUMP. INSTALLED N
EW PRESSURE REGULATOR AND CHECK VALVE, REMOVED ROCKER COVER AND JAKES, INST
ALLED NEW N3 INJ WASHER AND O-RING ON ALL INJECTOR, REPLACED ALL INJECTOR H
OLD DOWN CLAMP WASHERS, REPLACED INJECTOR HARNESS. TORQUED ALL INJECTOR TO
SPEC AT 70N. M. REPROGRAMED ECM STEAM CLEANED PRIMED FUEL SYSTEM RAN ENGINE
 CHECKED OPERATION ALL OK. 7.6 01 PD 037 23532014 05M2 MODIFICATION FIELD 0
29900
CONDITION:-2: RECALL CAMPAIGN SF285AB BASIC VEHICLE 12 100,000 CUSTOMER COU
LD NOT WAIT FOR RECALL TO BE DONE AND DECIDED TO TAKE \ TRUCK
 * REMEDY CODES - VOID
CONDITION:-3: UNIT NEEDS EGR COOLER UPDATE
COMMENTS-3: NEW ERG COOLER KIT WITH EXHAUST MANIFOLD COOLANT AND EXHAUST LE
AKING AT ENGINE STEAM CLEANED RAN ENGINE FOUND MIXER PIPE AND EGR COOLER LE
AKING, REMOVEDAIR CLEANER ASM TURBOAND EXHUAST MANIFOLDS TO INSTALLED NEW E
***END OF PAGE***
0-Exit 1-Last Page 2-Line Down 3-Page Down 7-First Page 8-Line Up 9-Page Up
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	Narrative text	Last Change
101	OIL LEAK. VALVE COVER GASKET LEAKING AT RIGHT FRONT CORNER. STEAM CLEANED AND RAN TO VERIFY LEAK. REPLACED VALVE COVER GASKET AND RAN TO CHECK,OK.	28-Jul-2005 DDCEXT/BPETER02
102	HARD TO BELEIVE THIS TRUCK HAD 178000 MILES ON IT AT 3 MONTHS OF AGE	29-Jul-2005 DDCEXT/BPETER02

	Narrative text	Last Change
101	CHECK ENGINE LIGHT COMING ON AND JAKES QUIT. CHECKED WIRING HARNESS. FOUND CONNECTOR AT REAR JAKE SOLENOID WAS LOOSE ON HARNESS. REPAIRED CONNECTOR. RAN TO CHECK,OK.	28-Jul-2005 DDCEXT/BPETER02
102	NO WAY THIS TRUCK HAD 178000 MILES ON IT AT 3 MONTHS OF AGE.	29-Jul-2005 DDCEXT/BPETER02

Dist / Dlr 03846 00293
THE AROUND THE CLOCK F
Claim Type 01 WARRANTY
RO Number 6021771
RO Open Date 27-Jul-2005 (dd-mon-yyyy)
Delv Date 03-Mar-2005 (dd-mon-yyyy)
Serial Num 06R0770106 Claim Activity
Model 6067HV6E Engine Cvrg 17SE199 / 0402 (WAR)
Appl Code 32 HIGHWAY TRUCK
New Engine S/N
Equip Make FREIGHTLINER
Equip Model CLASSIC
Equip VIN 1FUJAPCK95DN58106
Owner Name EDG TRUCKING & Zip 92131
Miles / Hrs 97,281 mi
Primary Failed Part 23532014 HARNESS
Complaint Code CL CHK ENG LITE ON
Failure Code 050 ELEC FAILURES
Matl Status Shipped?

Ret Parts Disp:
Inspected By:
Ret Parts Reason:
Date Recvd:
PFP Recvd:
CMCS Recvd:
Reman Code:
Forward To:
Comp Serial Num:
Material Desc:
Material Analysis:

Requested US$
Calculated US$
Deductible US$
ProRate Parts ProRate Labor
Exch Rate
Assigned To Breeding, Mark
Disp Code P PAID - CYCLE 200532 (06-Aug-20(
Reason Code Admin Note
Previous Claim
Modification
E-policy Num
Auth Number
ChrgBack Vendor CMCS
Last Changed By MBREED01 @02-AUG-2005 Added 28-JUL-2005
Validation Attempts 7 Last Date 02-AUG-2005

ePartsCatalog

Fuel Pump # R23535[illegible]

DETROIT DIESEL
Technical Support Development

| Print | Serial #:06R0770106 | Model:6067HV6E

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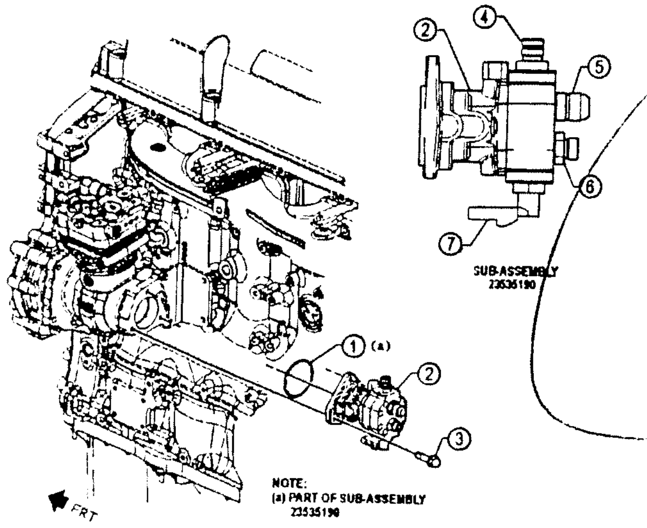
Figure 1 Type # 392



06M04-6067 46583

Callout	Part Number		Qty	Description
2	R23535540	K S	1	REMAN FUEL PUMP ASM GC2 S60
3	23506222		3	BOLT, M8 X 1.25 X 20 12 PT.
4	23526269		1	VALVE ASSY., FUEL DIAG CONNECTOR
5	23530394		1	FITTING
6	5244760424		1	FITTING, M16 X 1.5 TO 11/16"-16
7	23527830		1	SENSOR, COOLANT,OIL,FUEL
	23526958		1	PLUG ASM CAP 7/8-14 ALUM W/NEOPRENE CAP
1	23533010		1	SEAL FUEL PUMP SQUARE CUT

In Kit
#R23535776

RBOM40 A PARTS DISTRIBUTION CENTER C0151048 K59
COMPONENT INQUIRY 10/11/06 18:58:46
PART 0SK01242________________________ CONT _
DESC SUB_KIT_____ WC P2 RT 2 SUP __ ST 5 LAST REV 04/04/05

COMPONENT	DESC	QTY	SUP	R	S	REV.DATE	WC	UNIT COST
23526269	VALVE_ASM___	00001	7A	_	2	04/01/05	ZZ	NOT_AVAIL_
23530394	FITTING____*	00001	__	_	2	04/01/05	ZZ	NOT_AVAIL_
23533010	O_RING_______	00001	9A	_	2	04/01/05	ZZ	NOT_AVAIL_
23535129	REG_VALVE___	00001	__	_	2	04/01/05	ZZ	NOT_AVAIL_
23535130	ELBOW_______	00001	__	_	2	04/01/05	ZZ	NOT_AVAIL_
5244760424	FITTING_____	00001	__	_	2	04/01/05	ZZ	NOT_AVAIL_

INQUIRY COMPLETE

RBOM40 A

PARTS DISTRIBUTION CENTER
COMPONENT INQUIRY

C0151048 K59
10/11/06 18:58:55

PART 0SK01243 CONT _
DESC SUB_KIT WC P2 RT 2 SUP __ ST 5 LAST REV 08/02/06

COMPONENT	DESC	QTY	SUP	R	S	REV.DATE	WC	UNIT COST
F00HN34702	O-RING	00006		2	2	04/27/05		NOT_AVAIL
F00HN37331 23535700	O-RING	00006		2	2	04/27/05		NOT_AVAIL
F00HN37860	O-RING	00006	9A	2	2	04/27/05		NOT_AVAIL
F00H410608	COPPER_SEAL	00006	3A		2	04/27/05	ZZ	NOT_AVAIL
23535699	WASHER	00006	9A		2	04/27/05	ZZ	NOT_AVAIL

INQUIRY COMPLETE

Unit Modifications 06R0770106

Close

Mod Num	Mod Complete	Claim Num		Unit Replaced	Last Changed By	Last Change D
04M7	✓	WA10736235	View		VAL	15-Jun-200
05M2	✓	WA10736217	View		WSTICK01	10-May-200

Claim History for 06R0770106

Close

Claim Number	Dst / Dlr	Type	RO Date	Primary Failed Part	Miles / Hrs	Owner	Disp	Reqstd Amt	Total Claim Dols	Cycle Micro
WA10776644	03846-00293 THE AROUND THE CLOCK FREIGHTLINER GROUP	01	27-Jul-2005	23522269 GASKET	97,281 M	EDG TRUCKING	P			200532
WA10776661	03846-00293 THE AROUND THE CLOCK FREIGHTLINER GROUP	01	27-Jul-2005	23532014 HARNESS	97,281 M	EDG TRUCKING	P			200532
WA10736217	01510-00154 LOS ANGELES FREIGHTLINER - WESTERN STAR	01	06-Jun-2005	23532014 HARNESS	178,316 M	EDG TRUCKING	P			200525
WA10736235	01510-00154 LOS ANGELES FREIGHTLINER - WESTERN STAR	01	06-Jun-2005	23533277 MFLD ASM (P)	178,316 M	EDG TRUCKING	P			200525

DETROIT DIESEL WARRANTY Claim **WA10736217**

APPROVED	ERROR CODE	LVL	ERROR MESSAGE	APPROVED/ADDED BY
			AND DIST CODE(MULTI FAIL), DIFF PFP (WA10736235)	
Y	190	3	LOW MILES/HOURS SINCE LAST REPAIR, DIFFERENT PFP #	JKING03@16-JUN-2005
Y	204	4	INHIBITED AS PFP. SHOULD THIS PART BE COVERED?	JKING03@16-JUN-2005
Y	1194	2	CLAIM FOR MODIFICATION MUST BE MANUALLY REVIEWED	JKING03@16-JUN-2005

CLAIM LINES

PARTS

Line	Part Number		Reqstd Qty	Reduced To Qty	Allowed Qty	Appr	Deny	Dis
101	R23535776	IN/RNG-F/PMP	1		1			
102	23532014	23536019	1		1			

LABOR

Line	Operation	Description	Reqstd Hrs	Reduced To Hrs	Allowed Hrs	Appr	Deny	Dis
101	029900	GENERAL OPERATION FOR FUEL FILTE	7.6		7.6	Y		

NARRATIVE

Line	Narrative Text	Last Changed By
101	LOW POWER / RUNNING ROUGH PERFORMED MODIFICATION 05M-2 RAN ENGINE FOUND RUNNING ROUGH, PERFORMED MODIFICATION. REPLACED FUEL AND FITTING, INSTALLED NEW MOUNTING O-RING INSTALLED PUMP. INSTALLED NEW PRESSURE REGULATOR AND CHECK VALVE, REMOVED ROCKER COVER AND JAKES, INSTALLED NEW N3 INJ WASHER AND O-RING ON ALL INJECTOR, REPLACED ALL INJECTOR HOLD DOWN CLAMP WASHERS, REPLACED INJECTOR HARNESS. TORQUED ALL INJECTOR TO SPEC AT 70N. M. REPROGRAMED ECM	DDCEXT/JOVIYACH@14-JUN-2005

DETROIT DIESEL WARRANTY Claim WA10736217

CLAIM HEADER

Dist / Dlr 01510-00154 LOS ANGELES TRUCK CENTERS, LLC
Claim Type 01 / * WARRANTY
RO Num 103845
RO Date 06-Jun-2005
Delv Date 03-Mar-2005
Serial Num 06R0770106
Model 6067HV6E Engine Cvrg
Appl Code 32 HIGHWAYTRUCK
Repl Serial Num
Equip Make FREIGHTLINER
Equip Model CLASSIC XL
Equip Vin N58106
Owner Name EDG TRUCKING Zip 92131
Miles / Hrs 178,316 M
PFP Part Num 23532014 HARNESS
Complaint Code PD WORK DONE PER DDC DIRECTION
Failure Code 037 WRONG PGM/CALIBRATION
Matl Status Date Shipped?

Ret Parts Disp Inspected By
Ret Parts Reason Date Recvd
PFP # Recvd CMCS # Recvd
Material Desc
Material Analysis

Requested US$ $833.41
Calculated US$ $833.41
Deductible US$ $0.00
Pro Rate Parts 1.00 Pro Rate Labor 1.00
Exch Rate 1.00000
Assigned To JKING03
Disp Code P PAID - CYCLE 200525 (18-JUN-05)
Reason Code Admin Note

Previous Claim
Modification 05M2
Policy Num
Auth Number Amt
Chrgback Vendor CMCS

Last Changed By JKING03@16-JUN-05 Added 14-Jun-2005
Validation Attempts 5 Last Date 16-Jun-2005

CLAIM HEADER ERRORS

APPROVED	ERROR CODE	LVL	ERROR MESSAGE	APPROVED/ADDED BY
Y	149	2	CLAIM REQUIRES ADMINISTRATOR REVIEW PRIOR TO PAYMENT	JKING03@16-JUN-2005
Y	164	2	HIGHER THAN NORMAL USAGE FOR APPLICATION (days in use: 95, reas. usage: 95000)	JKING03@16-JUN-2005
Y	185	3	PREV WARRANTY CLAIM HAS SAME UNIT NUMBER, MILES AN	JKING03@16-JUN-2005

10-Oct-2006 2:11:20 PM

DETROIT DIESEL WARRANTY **Claim** **WA10736217**

Line	Narrative Text	Last Changed By
	ECM STEAM CLEANED PRIMED FUEL SYSTEM RAN ENGINE CHECKED OPERATION ALL OK.	

DETROIT DIESEL WARRANTY Claim WA10736217

APPROVED	ERROR CODE	LVL	ERROR MESSAGE	APPROVED/ADDED BY
			AND DIST CODE(MULTI FAIL), DIFF PFP (WA10736235)	
Y	190	3	LOW MILES/HOURS SINCE LAST REPAIR, DIFFERENT PFP #	JKING03@16-JUN-2005
Y	204	4	INHIBITED AS PFP. SHOULD THIS PART BE COVERED?	JKING03@16-JUN-2005
Y	1194	2	CLAIM FOR MODIFICATION MUST BE MANUALLY REVIEWED	JKING03@16-JUN-2005

CLAIM LINES

PARTS

Line	Part Number		Reqstd Qty	Reduced To Qty	Allowed Qty	Appr	Deny	Dis
101	R23535776	IN/RNG-F/PMP	1		1			
102	23532014	23536019	1		1			

LABOR

Line	Operation	Description	Reqstd Hrs	Reduced To Hrs	Allowed Hrs	Appr	Deny	Dis
101	029900	GENERAL OPERATION FOR FUEL FILTE	7.6		7.6	Y		

NARRATIVE

Line	Narrative Text	Last Changed By
101	LOW POWER / RUNNING ROUGH PERFORMED MODIFICATION 05M-2 RAN ENGINE FOUND RUNNING ROUGH, PERFORMED MODIFICATION. REPLACED FUEL AND FITTING, INSTALLED NEW MOUNTING O-RING INSTALLED PUMP. INSTALLED NEW PRESSURE REGULATOR AND CHECK VALVE, REMOVED ROCKER COVER AND JAKES, INSTALLED NEW N3 INJ WASHER AND O-RING ON ALL INJECTOR, REPLACED ALL INJECTOR HOLD DOWN CLAMP WASHERS, REPLACED INJECTOR HARNESS. TORQUED ALL INJECTOR TO SPEC AT 70N. M. REPROGRAMED ECM	DDCEXT/JOVIYACH@14-JUN-2005

10-Oct-2006 2:11:20 PM

Pg. 4

ePartsCatalog

DETROIT DIESEL
Technical Support Development

| Print | Serial #:06R0770106 | Model 6067HV6E

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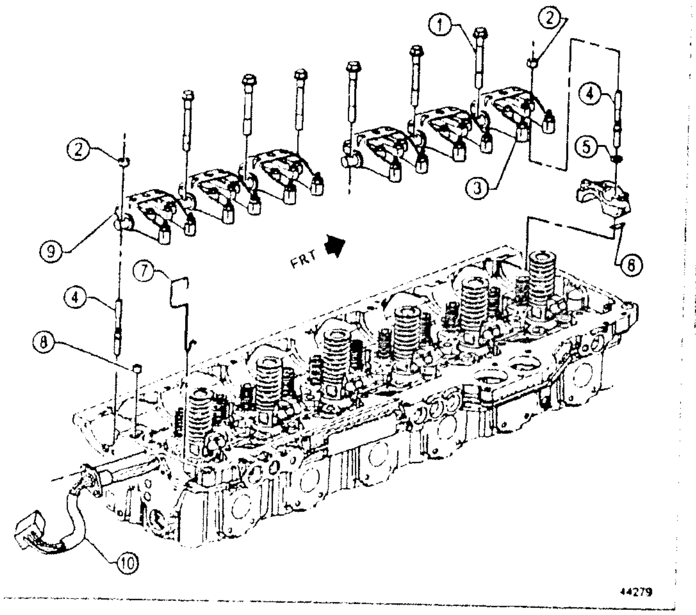
Figure 1 2 3 4 Type # 881



	Callout	Part Number	Qty	Description
☐	10	23532014	NS	HARNESS ASSY., ENG EDU TO INJ W/2 SOL JBRK ; USE: 23536019
☐	7	08929534	1	CLIP
☐		05101020	6	STRAP, NYLON (2.5255)
☐		08929508	1	COVER
☐		11509511	2	BOLT, M8 X 1.25 X 20 MM
☐		23536019	1	HARNESS ASM WRG ENG EDU TO INJ W/2 SOL JBRK 2004 S

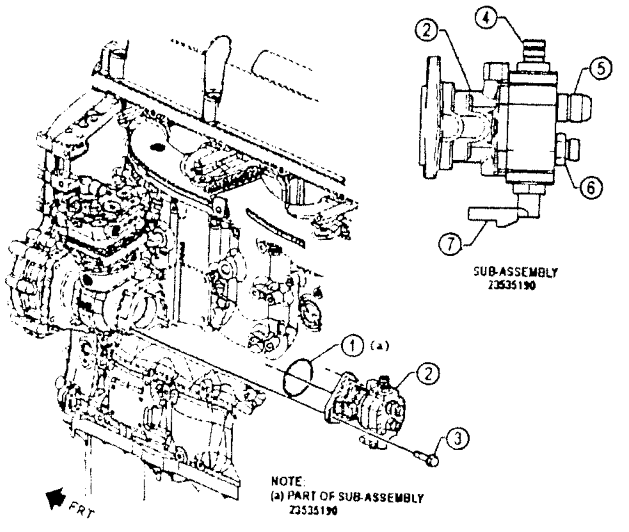
ePartsCatalog

DETROIT DIESEL
Technical Support Development

| Print | Serial #:06R0770106 | Model:6067HV6E

Add to Cart | View Cart

Figure 1 Type # 392


SUB-ASSEMBLY
23535190
NOTE:
(a) PART OF SUB-ASSEMBLY
23535190
FRT
06M04-6067
46583

Callout	Part Number	Qty	Description
	R23535207	NS	REMAN FUEL PUMP ASM GC2 S60 ; USE: R23535540
2	R23535540	1	REMAN FUEL PUMP ASM GC2 S60
3	23506222	3	BOLT, M8 X 1.25 X 20 12 PT.
4	23526269	1	VALVE ASSY., FUEL DIAG CONNECTOR
5	23530394	1	FITTING
6	5244760424	1	FITTING, M16 X 1.5 TO 11/16"-16
7	23527830	1	SENSOR, COOLANT,OIL,FUEL
	23526958	1	PLUG ASM CAP 7/8-14 ALUM W/NEOPRENE CAP

Valley Power Systems, Inc

REMIT TO: File#56634, Los Angeles, CA 90074-6634

425 South Hacienda Blvd., City of Industry, CA 91745 (626) 333-1243
11300 Inland Ave., Mira Loma, CA 91752 (909) 681-9283
17192 Daimler St., Irvine, CA 92614 (949) 221-8642
5725 Eastgate Drive, San Diego, CA 92121 (858) 587-8524
4000 Rosedale Highway, Bakersfield, CA 93308 (661) 325-9001
2935 S. Orange Ave, Fresno, CA 93725 (559) 486-6900

TERMS: NET 10th PROX. 1 1/2% INTEREST PER MONTH WILL BE CHARGED TO ALL PAST DUE ACCOUNTS.

WORK SHEET

C13566 272015

R.O. Open Date 5/16/06
R.O. Inv Date 5/18/06

N

REPAIR ORDER
№ C13566

Customer's Phone No: 858)354-6638

Purchase Order No.

SOLD TO: EDG TRUCKING
11480 CYRESS TERRACE PL
SAN DIEGO, CA 92131

Field Order No.

Requisition Number

161

Complaint
LEAKING OIL FROM UNDER THE TURBO & AROUND DIAMOND SEAL AREA

Primary Cause
TURBO OIL RETURN PIPE O-RINGS LEAK: 23530682

Corrections Made
STEAM CLEANED ENGINE THEN RMVD EXHST PIPE, INTAKE HOSE, PRESSURE PIPE, PRESSURE OIL LINE, TURBO & RPLCD BOTH O-RINGS ON THE RETURN LINE ALONG WITH THE GASKET FOR RETURN ON TURBO AND TURBO EXHST GSKT. INSTLD TURBO, PIPES AND HOSES THEN STEAM CLEANED ENGINE AGAIN. ADDED 3 GALS OF OIL, TOOK UNIT ON ROAD TEST TO CHECK FOR LEAKS NONE FOUND, UNIT READY...

Comments

Unit Serial No:

Transmission Serial No:

Engine Serial No:
R0770106

Model No.:
6067HV6E

Equip./Lic.#:
/ (CA)UP46539

Miles or Hours
233804 M

Make and Model
FREIGHTLINER / CLASS

V.I.N. #:
1FUJAPCK95DN58106

Replacement S/N:

RD SAN DIEGO / 23 / (CA

Sublet Repair / Machine Operations		Purchase Order	Extension

EXHIBIT
Gachev #49
Date: 3-9-07
JENNIFER L. FITZGERALD
CSR #12166

Customer Shop Labor
.0 ST Hrs.
.0 OT Hrs.
.0 DT Hrs.

Customer Field Labor
.0 ST Hrs.
.0 OT Hrs.
.0 DT Hrs.

Ins.Surcharge $.00

WARRANTY INFORMATION: WARRANTY ON NEW ENGINES, NEW TRANSMISSIONS, NEW AND REBUILT PARTS, reliabilt ENGINES, reliabilt ASSEMBLIES, reliabilt PARTS AND UTEX PARTS IS LIMITED TO THE MANUFACTURER'S WARRANTY. SHOP LIABILITY SHALL BE LIMITED TO THE CORRECTION OF REPAIRS PERFORMED WHEN VALLEY DETROIT DIESEL ALLISON OPERATIONS SHALL DISCLOSE FAULTY WORKMANSHIP UNDER NORMAL USE WITHIN 90 DAYS FROM DATE OF DELIVERY. VALLEY DETROIT DIESEL ALLISON'S SOLE OBLIGATION UNDER THIS WARRANTY IS TO REPAIR, AT ITS PLACE OF BUSINESS OR, AT ITS OPTION, EXCHANGE ANY SUCH GOODS OR SERVICES WHICH ARE FOUND BY VALLEY DETROIT DIESEL ALLISON TO BE DEFECTIVE IN WORKMANSHIP OR MATERIAL. FOR reliabilt assemblies THIS IS LIMITED TO REPAIRS OR REPLACEMENT OF THE FAILED reliabilt COMPONENTS ONLY. THE FOREGOING SHALL BE THE SOLE AND EXCLUSIVE REMEDY FOR ANY SUCH DEFECT, WHETHER IN CONTRACT, TORT, WARRANTY OR OTHERWISE. IN NO EVENT SHALL VALLEY DETROIT DIESEL ALLISON BE LIABLE FOR ANY INDIRECT SPECIAL INCIDENTAL OR CONSEQUENTIAL DAMAGE, INCLUDING TOWING OR DOWN TIME IN CONNECTION WITH, OR ARISING OUT OF THE USE OF GOODS OR FURNISHING SERVICES. THESE WARRANTIES ARE THE ONLY APPLICABLE WARRANTIES AND ARE EXPRESSLY IN LIEU OF ANY OTHER WARRANTIES EXPRESSED OR IMPLIED INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE UNLESS OTHERWISE EXPRESSLY SPECIFIED HEREIN.

I HEREBY AUTHORIZE THE ABOVE REPAIR WORK TO BE DONE ALONG WITH INSTALLATION OF THE NECESSARY MATERIAL AND HEREBY GRANT VALLEY DETROIT DIESEL ALLISON OR ITS EMPLOYEES PERMISSION TO OPERATE THE VEHICLE OR PRODUCT HEREIN DESCRIBED ON STREETS, HIGHWAYS OR ELSEWHERE FOR THE PURPOSE OF TESTING AND/OR INSPECTION. AN EXPRESS LIEN IS HEREBY ACKNOWLEDGED ON THE VEHICLE OR PRODUCT TO SECURE THE AMOUNT OF REPAIRS THERETO. I ALSO ACKNOWLEDGE THAT THE DEALER IS NOT RESPONSIBLE FOR LOSS OR DAMAGE TO ANTICLES LEFT WITH VEHICLE OR PRODUCT IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE BEYOND ITS CONTROL AND IS NOT RESPONSIBLE FOR MATERIAL UNCLAIMED AFTER 30 DAYS. I ALSO ACKNOWLEDGE AND ACCEPT THE TERMS OF THE WARRANTY INFORMATION SHOWN ABOVE.

ACCEPTED & APPROVED BY ______

B.A.R AH134157

LABOR	.00
MACHINE OPERATIONS	.00
	.00
PARTS	.00
P3 Deductable	.00
Per Quotation	.00
TAX	.00

COD

Deposit/Pd Amt: $.00

Valley Power Systems, Inc

425 South Hacienda Blvd., City of Industry, CA 91745 (626) 333-1243
11300 Inland Ave., Mira Loma, CA 91752 (951) 681-9283
17192 Daimler St., Irvine, CA 92614 (949) 221-8642
5725 Eastgate Drive, San Diego, CA 92121 (858) 587-8524
4000 Rosedale Highway, Bakersfield, CA 93308 (661) 325-9001
2935 S. Orange Ave., Fresno, CA 93725 (559) 486-6900

WORK SHEET

No. C13566

Name CASH- FLEET-7.75% Page 1 5/18/06 Repair Order No. C13566

Part Number	Description	Quan.	Fleet Price	Unit Price	Amount
PARTS SUPPLEMENTAL SUMMARY					
MO23512703	1GAL 1300	3	11.23		*WARRANTY*
0023530682	O-RING	2	.65		*WARRANTY*
008929285	GASKET	1	.59		*WARRANTY*
008929529	GASKET	1	3.52		*WARRANTY*

Total

Valley Power Systems, Inc

425 South Hacienda Blvd., City of Industry, CA 91745 (626) 333-1243
11300 Inland Ave., Mira Loma, CA 91752 (951) 681-9283
17192 Daimler St., Irvine, CA 92614 (949) 221-8642
5725 Eastgate Drive, San Diego, CA 92121 (858) 587-8524
4000 Rosedale Highway, Bakersfield, CA 93308 (661) 325-9001
2935 S. Orange Ave, Fresno, CA 93725 (559) 486-6900

WORK SHEET

No. C13539

Name CASH- FLEET-7.75% Page 1 5/18/06 Repair Order No. C13539

Part Number	Description	Quan.	Fleet Price	Unit Price	Amount
PARTS SUPPLEMENTAL SUMMARY					
0023531964	SENSOR	1	69.68		*WARRANTY*
R31E23533705	VLV & ACT	1	722.70		*WARRANTY*

RO160B-C4041

Total

Valley POWER SYSTEMS, INC.

5725 Eastgate Drive San Diego, CA 92121 Phone (858) 587-8524
Fax (858) 587-4664

Date: 12/20/06

To: Eugene, EDG Trucking

The following is a breakdown of the problems found with Unit # 23 – Serial # 06R0770106

1. Hard start if unit has been shut down for a period longer than 3 hours.
2. Park Brake Knob missing.
3. Slow air build, air dryer service needed.
4. Right side mirror turn signal inop.
5. 5th wheel needs lube
6. Rear middle clearance light inop.
7. Turbo exhaust pipe needs replaced (sensor bung cracked and sensor threads stripped).
8. Charged Air Cooler leaks at right side lower corner.
9. Oil leak at the Camshaft pocket.
10. 2 out three mounting bolts for the fuel pump are missing.
11. 05M2 – Update has not been completed, although a claim has been submitted.
12. Coolant leak at the EGR cooler (loose clamp may be the cause).
13. New exhaust clamp needed at the flex pipe of exhaust.
14. Tripple air horn inop.
15. Excessive play at the clutch linkage.
16. Fuel filter plugged.
17. Chassis lube and brake adjustment needed.

EXHIBIT
Gonchev #58
Date: 3-9-07
JENNIFER L. FITZGERALD
CSR #12166

XL CLASSIC 05

350.88
330.00
2046.31
601.05
2810.70

2005

6138.94

2006

313.71
1335.11 TOL
292.45 TA
650.00 - TOLL
1003.95 - SIRES
2074.85 S. DIEGO
278.12 - MOTEL.

5948.19

12087.13

EXHIBIT Gencherv #59
Date: 3-9-07
JENNIFER L. FITZGERALD
CSR #12166

Freightliner

VAL-U Inn MOTEL

9-14TH Ave. N.W.
Auburn, WA 98001
(253) 735-3600
(800) 443-7777

ZDG

TAMARA/JOSE LARA
1176 N. 2825 W.
LAYTON UT 84041

Room 301
Rate 62.00
Adults 2
Folio 113640-1
Arrival 10/24/05 (Mon)
Departure 10/25/05 (Tue)
Deposit Amt. .00
Deposit Rec. .00
Page 1

DATE	ROOM	DESCRIPTION	COMMENT	AMOUNT
10/24	301	LAUNDRY TOKENS	2 TOKENS	1.50
10/24	301	CASH PAYMENT		1.50-
10/24	301	ROOM CHARGE	AUTOMATIC PO	62.00
10/24	301	ROOM TAX	AUTOMATIC PO	2.36
10/24	301	SALES TAX	AUTOMATIC PO	5.33
10/25	301	VISA	[illegible]	69.69-

Total Tax	7.69
Total Charged	71.19
Total Due	.00

Billed to VI

Guest Signature ______________________________

EXHIBIT
Gercher #100
Date: 3-9-07
JENNIFER L. FITZGERALD
CSR #12166

Freightliner

VAL-U INN MOTEL

9-14TH Ave. N.W.
Auburn, WA 98001
(253) 735-9600
(800) 443-7777

TAMARA/JOSE LARA
1176 N. 2825 W.
LAYTON UT 84041

Room 301
Rate 62.00
Adults 2
Folio 113606-1
Arrival 10/23/05 (Sun)
Departure 10/24/05 (Mon)
Deposit Amt. .00
Deposit Rec. .00
Page 1

DATE	ROOM	DESCRIPTION	COMMENT	AMOUNT
10/23	301	ROOM CHARGE	AUTOMATIC PC	62.00
10/23	301	ROOM TAX	AUTOMATIC PC	2.36
10/23	301	SALES TAX	AUTOMATIC PC	5.33
10/24	301	VISA	4366306000073	69.69-

Total Tax	7.69
Total Charged	69.69
Total Due	.00

Billed to VI

Guest Signature ______________________________

COMFORT INN AIRPORT EAST
900 YARBROUGH DRIVE
EL PASO, TX 79915 USA
(915) 594-9111

Account: 268820
Date: 05/26/06
Page: 1 of 1
Room: 213 -TRUCK
Arrival Date: 05/25/06 16:47
Departure Date: 05/26/06 10:51
Frequent Traveler ID:
You were checked out by: GW
You were checked in by: MW

MCCLAIN, MARK
4178 STEPHENS ST
SAN DIEGO, CA 92103 US

-TRUCKERS RATE

Post Date	Description	Comment	Amount
05/25/06	ROOM CHARGE	#213 MCCLAIN, MARK	64.99
05/25/06	STATE TAX	STATE TAX	3.90
05/25/06	CITY/COUNTY TAX	CITY/COUNTY TAX	6.17
05/26/06	MASTER CARD	MASTER CARD	-75.06
		Acct: xxxxxxxxxxxx9406	
		Balance Due:	0.00

If payment by credit card, I agree to pay the above total charge amount according to the card issuer agreement.

x ______________________________

COMFORT INN AIRPORT EAST
900 YARBROUGH DRIVE
EL PASO, TX 79915 USA
(915) 594-9111

Room: 213
Arrival Date: 05/25/06
Departure Date: 05/26/06
Account: 268820
Frequent Traveler ID:

Approval Number: 008080
Card Type: MC
Date: 5/26/2006
Card Number: xxxxxxxxxxxx9406
Total: 75.06

If payment by credit card, I agree to pay the above total charge amount according to the card issuer agreement.

MARK MCCLAIN
4178 STEPHENS ST
SAN DIEGO, CA 92103 US

x ______________________________

COMFORT INN AIRPORT EAST
900 YARBROUGH DRIVE
EL PASO, TX 79915 USA
(915) 594-9111

Account: 268820
Date: 05/27/06
Page: 1 of 1
Room: 213 -TRUCK
Arrival Date: 05/25/06 16:47
Departure Date: 05/27/06 10:42
Frequent Traveler ID:
You were checked out by: CL
You were checked in by: MW

MCCLAIN, MARK
4178 STEPHENS ST
SAN DIEGO, CA 92103 US

-TRUCKERS RATE

Post Date	Description	Comment	Amount
05/25/06	ROOM CHARGE	#213 MCCLAIN, MARK	64.99
05/25/06	STATE TAX	STATE TAX	3.90
05/25/06	CITY/COUNTY TAX	CITY/COUNTY TAX	6.17
05/26/06	MASTER CARD	MASTER CARD Acct: xxxxxxxxxxxx9406	-75.06
05/26/06	ROOM CHARGE	#213 MCCLAIN, MARK	64.99
05/26/06	STATE TAX	STATE TAX	3.90
05/26/06	CITY/COUNTY TAX	CITY/COUNTY TAX	6.17
05/27/06	MASTER CARD	MASTER CARD Acct: xxxxxxxxxxxx9406	-75.06
		Balance Due:	0.00

If payment by credit card, I agree to pay the above total charge amount according to the card issuer agreement.

x ______________________________

COMFORT INN AIRPORT EAST
900 YARBROUGH DRIVE
EL PASO, TX 79915 USA
(915) 594-9111

Room: 213
Arrival Date: 05/25/06
Departure Date: 05/27/06
Account: 268820
Frequent Traveler ID:

Approval Number: 003208
Card Type: MC
Date: 5/27/2006
Card Number: xxxxxxxxxxxx9406
Total: 75.06

If payment by credit card, I agree to pay the above total charge amount according to the card issuer agreement.

MARK MCCLAIN
4178 STEPHENS ST
SAN DIEGO, CA 92103 US

x ______________________________

Microtel

Independently owned and operated under license agreement with Microtel Inns & Suites Franchising, Inc.

THIS IS YOUR TEMPORARY RECEIPT. A PERMANENT RECEIPT WILL BE ISSUED UPON CHECK-OUT. ALL CHARGES INCURRED WILL BE POSTED TO YOUR BILL. PLEASE RETURN YOUR KEY(S) TO THE FRONT OFFICE AT THE TIME OF CHECK OUT.

ROOM NUMBER	AMOUNT PAID	CLERK'S INITIALS	DATE
218	52.[illegible]	[illegible]	5/[illegible]

311

GUEST NAME | RATE | DATE DEPARTURE

CONFIRMATION NUMBER | ARRIVAL DATE | NO ADULTS | NO CHILDREN | CLERK

LAST NAME: McCLAIN | FIRST: MARK | INITIAL: A

ADDRESS: 4178 STEPHENS ST

CITY: SAN DIEGO | STATE: CA | ZIP CODE: 92103

COMPANY NAME | CITY | STATE

TELEPHONE #: (619) 405-3769 | MAKE OF CAR | LICENSE | STATE

CREDIT CARD AND NUMBER: (858) 354-6638 employee | EXPIRATION DATE

ADDITIONAL GUEST NAMES | NUMBER OF KEYS ISSUED

[signature]

ADDITIONAL GUEST NAMES

[illegible] THIS PROPERTY IS PRIVATELY OWNED AND THE MANAGEMENT RESERVES THE RIGHT TO DENY SERVICE TO ANY INDIVIDUAL. THE HOTEL ASSUMES NO RESPONSIBILITY FOR ACCIDENTS OR INJURY TO GUESTS. THE MANAGEMENT IS NOT RESPONSIBLE FOR UNSECURED VALUABLES LEFT IN THE HOTEL PREMISES. SAFETY DEPOSIT BOXES ARE PROVIDED AT THE FRONT OFFICE FOR GUESTS USE. [illegible] AGREE TO BE LIABLE FOR ALL CHARGES FOR ANY ITEMS REMOVED FROM THE [illegible] CHARGES [illegible] ROOM AT THE CURRENT RATES ESTABLISHED BY THE [illegible] DAMAGES TO THE [illegible] CHARGES INCURRED IS NOT WAIVED AND [illegible] TO BE [illegible] PERSONALLY LIABLE IN THE EVENT THAT THE INDICATED PERSON, COMPANY OR ASSOCIATION [illegible] FOR ANY PART OR THE FULL AMOUNT OF SUCH CHARGES.

5-23-04 [illegible handwriting]

[illegible] MICROTEL HAS INSTALLED ELECTRONIC [illegible] LOCKS FOR YOUR PERSONAL [illegible] SECURITY AND PRIVACY. A ROOM NUMBER IS INDICATED BELOW AND IS NOT [illegible] ON THE KEY CARD FOR YOUR PROTECTION. IN THE EVENT THE KEY IS LOST OR STOLEN, OUR STAFF WILL ONLY ISSUE A KEY CARD TO THE GUEST(S) REGISTERED TO THE [illegible]. IDENTIFICATION WILL BE REQUIRED TO OBTAIN A GUEST ROOM KEY CARD.

TO ENTER GUEST ROOM: INSERT AND THEN REMOVE THE KEY CARD FROM THE LOCKING [illegible] A GREEN LIGHT IS DISPLAYED. TURN THE DOOR HANDLE FOR ENTRY.

E-Z8 Motel Phoenix Airport

1820 S. 7th Street
Phoenix, AZ 85034
602-254-9787 / 602-256-0766

Mark Mcclain
4178 Stephens St
San Diego, CA 92103

Room	Folio	CheckIn	CheckOut	Balance
104	248066	05/19/2006	05/20/2006	-44.82
Master Folio				

Date	Room	Description	Charges	Credits	Balance
05/19/2006	104	Cash	0.00	44.82	-44.82

CAH
05/19/2006 12:12 PM

Thank you for staying with us!

** GUEST FOLIO **

MOTEL 6-CHARLESTON # 1131
330 GOFF MOUNTAIN RD
CROSS LANES. WV 25313
(304)776-5911 FAX 776-7450

DATE PRINTED: 07/02/05
PRINTED BY: ACD

FOLIO NUMBER: 172075-A
ARRIVAL DATE: 06/28/05
DEPARTURE DATE: 07/02/05

GUEST: JOHN MUNSON
P O BOX 8023
041745 K0409151
CHULA VISTA, CA 91912

DATE	ROOM	DEPARTMENT	CHARGES	CREDITS
06/28/05	[illegible]	ROOM RENT AUTO AUDIT	[illegible]	
06/28/05	[illegible]	COUNTY TX -		
06/28/05	[illegible]	STATE TAX -	[illegible]	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	ROOM RENT AUTO AUDIT	[illegible]	
07/01/05	[illegible]	COUNTY TX	[illegible]	
[illegible]	[illegible]	[illegible]		

BALANCE DUE: 0.00

GUEST SIGNATURE: ______________________

WINGATE INN

Wingate Inn

115 O'Leary Road

Port Wentworth, GA 31407
Phone: (912)964-0840 Fax: (912)964-0450

Oct 14, 2006
10:33 am

Ernesto Melendrez
2888 Iris Ave
San Diego, CA 92154

Account #: 9415
Room Number: 428
Rate: $52.06
Pay Method: XXXXXXXXXXXX9210 MC

Arrival Date: Monday, October 09, 2006
Departure Date: Saturday, October 14, 2006

Member #:

Information:

Date	Department	Reference	Voucher	Room	Debit	Credit
10/09/06	Room postings	Auto Posted		428	$40.10	
10/09/06	Occupancy Tax	Auto Posted		428	$2.41	
10/09/06	State Sales Tax Roon	Auto Posted		428	$2.41	
10/10/06	Room postings	Auto Posted		428	$52.06	
10/10/06	Occupancy Tax	Auto Posted		428	$3.12	
10/10/06	State Sales Tax Roon	Auto Posted		428	$3.12	
10/11/06	Room postings	Auto Posted		428	$52.06	
10/11/06	Occupancy Tax	Auto Posted		428	$3.12	
10/11/06	State Sales Tax Roon	Auto Posted		428	$3.12	
10/12/06	Room postings	Auto Posted		428	$52.06	
10/12/06	Occupancy Tax	Auto Posted		428	$3.12	
10/12/06	State Sales Tax Roon	Auto Posted		428	$3.12	
10/13/06	Room postings	Auto Posted		428	$52.06	
10/13/06	Occupancy Tax	Auto Posted		428	$3.12	
10/13/06	State Sales Tax Roon	Auto Posted		428	$3.12	
10/14/06	Mastercard	CHECKED-OUT		428		$278.12

As a TripRewards member, you could have earned 2,483 points for this stay.
To become a member visit us at triprewards.com or call 1-800-FOR-TRIP.

Balance: $0.00

This is your EXPRESS CHECKOUT Receipt. If the bill is correct you can leave the keys in the room, there is no need to stop by the front desk. A HOT BREAKFAST is served from 6:00am to 10:00am in the lobby. Our Spa & Fitness Room is open from 7:00am to 10:00pm.

NOTICE TO GUEST:
I agree that my liability for this bill is not waived and agree to be held personally liable in the event that the indicated person, company, or association fails to pay the full amount of these charges.

Signature ______________________________

Cocca's Inns & Suites — 4 LOCATIONS
"NICE AS ANY NATIONAL CHAIN"

Cocca's Inn & Suites
Wolf Road
(518) 459-2240 • 2 Wolf Road, Albany, New York 12205
Featuring Deluxe Accommodations & Private Jacuzzi Suites

NAME Joe McCallister FIRM Genkahn? Teleco? PHONE
ADDRESS 450 E. Bendler Ave CITY El Cajon STATE CA
YR./MAKE OF CAR LIC. NO. STATE

	SUN	MON	TUES.	WED	THURS	FRI	SAT	TOTAL
DATE				12/13				
ROOM				59.95				
TAX				8.39				
PHONE								

PHONE DEPOSIT | ROOM NO. 57 | NO. IN PARTY | TOTAL PAID 68.34

WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE AND WILL NOT BE RESPONSIBLE FOR ACCIDENTS OR INJURY TO OUR GUESTS OR LOSS OF MONEY, JEWELRY OR VALUABLES OF ANY KIND

TOLL FREE RESERVATIONS • 1-888-4-COCCAS • WWW.COCCAS.COM

Cocca's Inns & Suites — 4 LOCATIONS
"NICE AS ANY NATIONAL CHAIN"

Cocca's Inn & Suites
Wolf Road
(518) 459-2240 • 2 Wolf Road, Albany, New York 12205
Featuring Deluxe Accommodations & Private Jacuzzi Suites

NAME McCallister FIRM PHONE
ADDRESS CITY STATE
YR./MAKE OF CAR LIC. NO. STATE

	SUN	MON	TUES.	WED	THURS	FRI	SAT	TOTAL
DATE						12-15	12-16	
ROOM						59.95	59.95	
TAX						8.39	8.39	
PHONE								

PHONE DEPOSIT | ROOM NO. 57 | NO. IN PARTY | TOTAL PAID 136.68

WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE AND WILL NOT BE RESPONSIBLE FOR ACCIDENTS OR INJURY TO OUR GUESTS OR LOSS OF MONEY, JEWELRY OR VALUABLES OF ANY KIND

Cocca's Inns & Suites — 4 LOCATIONS
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Featuring Deluxe Accommodations & Private Jacuzzi Suites

NAME Joe McCallister FIRM PHONE
ADDRESS CITY STATE
YR./MAKE OF CAR LIC. NO. STATE

	SUN.	MON.	TUES.	WED.	THURS.	FRI.	SAT.	TOTAL
DATE					12/14			
ROOM					59.95			
TAX					8.39			
PHONE								

PHONE DEPOSIT | ROOM NO. | NO. IN PARTY | TOTAL PAID 68.34

WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE AND WILL NOT BE RESPONSIBLE FOR ACCIDENTS OR INJURY TO OUR GUESTS OR LOSS OF MONEY, JEWELRY OR VALUABLES OF ANY KIND

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$-273.36 motel
Albany NY

MOTELS

04 / 2005

185.26. JOHN VA

44.82 MCCL. PN

56.38 ALB

75.06 } EL PASO

75.06

436.58

2006

273 36.5 ALBANY

05 /

06

278.12 GA

709.94

P 988.06

EXHIBIT
Gencrav #61
Date: 3-9-07
JENNIFER L. FITZGERALD
CSR #12166